

**TELECONFERENCE
OPTOMETRY EXAMINING BOARD
MINUTES
JUNE 11, 2009**

MEMBERS PRESENT: Swaminat Balachandran, Ann Meier Carli, Linda Foley, Gregory Foster, Richard Wright

MEMBERS EXCUSED: Kathi Leach

STAFF PRESENT: Tom Ryan, Bureau Director; Ruby Jefferson-Moore, Legal Counsel; Ben Hanes, bureau assistant, and other DRL Staff.

GUESTS: Peter Theo, Wisconsin Optometric Association

CALL TO ORDER

Gregory Foster, Chair, called the meeting to order at 9:11 a.m. A quorum of five (5) members was present.

APPROVAL OF AGENDA

MOTION: Swaminat Balachandran moved, seconded by Ann Meier Carli, to approve the June 11, 2009 agenda as published. Motion carried unanimously.

APPROVAL OF MINUTES OF MARCH 19, 2009

Amendments:

- On the bottom of page 2 of the minutes, replace Linda Foley's name with Kathi Leach under the CE Review Committee.

MOTION: Swaminat Balachandran moved, seconded by Ann Meier Carli, to approve the minutes of March 19, 2009 as amended. Motion carried unanimously.

ADMINISTRATIVE REPORT

Tom Ryan introduced himself to the Board and gave the report. He informed the Board of cost-saving measures that the Department is considering in response to the current budget crisis, such as designating one of next year's meetings to be held via teleconference rather than in person. He noted that e-credentialing is now available for license renewals. The Board was also reminded of a public member vacancy.

**PRESENTATION OF PROPOSED STIPULATION, FINAL DECISION AND ORDER IN
THE MATTER OF ROBERT N. EMERY, OD BY ATTORNEY SANDRA NOWACK –
CASE ADVISOR – LINDA FOLEY**

Noted.

**PRESENTATION OF PROPOSED STIPULATIONS THAT MAY BE SIGNED AFTER
MAILING OF AGENDA**

None.

**SUMMARY REPORTS ON PENDING COURT CASES, DISCIPLINARY CASES AND
ADMINISTRATIVE RULES**

The Board was provided with a brief review of the summary reports. Ruby Jefferson-Moore indicated that there is currently one optometry case in hearing.

**ASSOCIATION OF REGULATORY BOARDS OF OPTOMETRY (ARBO) JOINT
BOARD CERTIFICATION PROJECT – BOARD REVIEW**

The Board discussed the proposed certification project. Peter Theo reported that the WOA Board conducted a survey in March and April, the results of which showed that almost 80% of its members said they were opposed to the current proposal and to joint board certification in general. However, the Board recognized that the proposal has been revised and significantly improved since then, and will continue to undergo changes before it is finalized. The Board agreed that they do not see a need for the program from a public protection standpoint, but they do not oppose it because of the benefit to the profession.

**OPTOMETRIC GUIDELINES FOR INDEPENDENT CONTINUING EDUCATION –
APRIL 18, 2009 DRAFT – BOARD REVIEW**

The Board noted optometric guidelines as an informational item and will discuss further in upcoming meetings.

PRACTICE QUESTIONS RECEIVED BY LEGAL COUNSEL

None.

CORRESPONDENCE AND INQUIRIES RECEIVED BY LEGAL COUNSEL

None.

PUBLIC COMMENTS

None.

CONVENE TO CLOSED SESSION

MOTION: Ann Meier Carli moved, seconded by Richard Wright, to adjourn to closed session pursuant to Wisconsin Statutes 19.85(1)(a)(b)(f) and (g), to deliberate on cases following hearing (s. 19.85(1)(a), Stats.; consider closing disciplinary investigation with administrative warning (s. 19.85(1)(b), Stats. and 440.205, Stats., to consider individual histories or disciplinary data (s. 19.85 (1)(f), Stats.; and, to confer with legal counsel (s. 19.85(1)(g), Stats.). Roll Call Vote: Swaminat Balachandran – yes; Ann Meier Carli – yes; Linda Foley – yes; Gregory Foster – yes; Richard Wright – yes. Motion carried unanimously.

Open session recessed at 9:53 a.m.

RECONVENE TO OPEN SESSION

MOTION: Swaminat Balachandran moved, seconded by Linda Foley, to reconvene to open session. Motion carried unanimously.

Open session reconvened at 10:00 a.m.

VOTING ON ITEMS CONSIDERED OR DELIBERATED ON IN CLOSED SESSION IF VOTING IS APPROPRIATE.

DELIBERATION OF PROPOSED STIPULATION, FINAL DECISION AND ORDER IN THE MATTER OF ROBERT N. EMERY, OD – CASE ADVISOR – LINDA FOLEY

MOTION: Gregory Foster moved, seconded by Swaminat Balachandran, to approve the proposed stipulation in the matter of Robert N. Emery, O.D., 06 OPT 008. Motion carried unanimously.

MOTION: Gregory Foster moved, seconded by Linda Foley, to authorize the department to sign the stipulation on behalf of a member of the Board. Motion carried unanimously.

OTHER BOARD BUSINESS

None.

ADJOURNMENT

MOTION: Balachandran moved, seconded by Ann, to adjourn the meeting. Motion carried unanimously.

The meeting adjourned at 10:03 a.m.